

CIVIL PRACTICE SUBCOMMITTEE OF HOUSE JUDICIARY COMMITTEE

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1468

House Bill No. 959

by deleting all the language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 36, Chapter 5, Part 1, is amended by adding the following new section:

(a) Every three (3) months the agency of the department of human services with responsibility over child support matters shall publish in a newspaper of general circulation in each county a list with the name and address of each person who is under the jurisdiction of the agency and who:

- (1) Is a child obligor;
- (2) Resides in the county;
- (3) Is at least three thousand dollars (\$3,000) in arrears; and
- (4) Has not made a child support payment, or has made only partial child support payments that total less than twenty-five percent (25%) of the amount of child support owed, for the last twelve (12) months including any payments made through the interception of federal or state taxes.

An obligor's name may not be published if the obligor files an affidavit on a form devised by the department of human services with the agency acting for the department stating good cause for the nonpayment of the child support as determined by the guidelines established by the department. The list must be based on the best information available at the time of the publication.

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(b) Before publishing the name of the obligor, the agency acting for the department of human services having responsibility over the case shall send a notice to the obligor's last known address notifying the obligor of the agency's intention to publish the obligor's name, the criteria used to determine the publication of the obligor's name, and notifying the obligor of the procedure to have the obligor's name removed from the list by paying the arrearage or by entering into an agreement to pay the arrearage, and the final date when the payment or agreement may be expected.

(c) The expense of publishing the list described in subsection (a) of this section shall be paid, on a pro rata basis, by each person whose name appears on such list. Provided, however, payment for the expense of publishing such list shall not be collected until after all child support owed by such person has been paid. Payment for such publishing expense shall be made to the clerk of court or agency responsible for publishing the list.

SECTION 2. This act shall take effect on July 1, 1995, the public welfare requiring it.